

Application No. 10/647,055

REMARKS

The Examiner's rejection of Claims 1 to 28 under 35 U.S.C. 103(a) as being obvious over Belknap et al. is respectfully traversed. For example, the Examiner has not pointed out to Applicants why he is of the position or why the prior art being relied upon teaches the combination of components as recited, for example, in rejected Claim 1, and wherein the hole blocking layer is comprised of particles chemically attached on the surface of an electron transport component.

Nevertheless, to expedite and advance prosecution Applicants are submitting herewith a document that the present application and the published Belknap et al. application were, at the time the inventions were made, owned by the same person or subject to an obligation of assignment to the same person, that is Xerox Corporation, as evidenced, for example, by the Assignment documents contained in the files and recorded with the U.S. Patent and Trademark Office.

The nonstatutory double patenting rejection of Claims 1 to 28 being provisionally rejected as being unpatentable over Claims 1 to 40 of copending application 10/408,201, Publication 2004/0197686, now U.S. Patent 6,858,363, are respectfully traversed. The Examiner indicates that the conflicting claims are not identical, however, the Examiner has not provided any comments that the rejected claims, that is Claim 1 of the present application, are sufficiently similar to require a Terminal Disclaimer.

To advance and expedite prosecution, Applicants are submitting herewith a Terminal Disclaimer whereby any patent resulting from the present application will expire simultaneously with any patent resulting from U.S. Application 10/408,201, Publication 2004/0197686, now U.S. Patent 6,858,363.

Accordingly, it is respectfully urged that the Examiner reconsider his positions and allow the present application.

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In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby requested to call Eugene O. Palazzo, at Telephone Number 585-423-4687, Rochester, New York.

Respectfully submitted,



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